

## FOURTEENTH DAY.

(Wednesday, January 24, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Henderson
Amsler.	of Marion.
Arnold.	Henderson
Atkinson.	of McLennan.
Avis.	Hendricks.
Baker of Milam.	Houston.
Baker of Orange.	Howeth.
Baldwin.	Hughes.
Barker.	Hull.
Barrett.	Irwin.
Beasley.	Jacks.
Bell.	Jennings.
Bird.	Jones.
Blount.	Kemble.
Bobbitt.	Lackey.
Bonham.	Laird.
Bryant.	Lane.
Cable.	LeMaster.
Carpenter	LeSturgeon.
of Dallas.	Lewis.
Carpenter	Loftin.
of Matagorda.	Looney.
Carson.	Lusk.
Carter of Coke.	McBride.
Carter of Hays.	McDaniel.
Chitwood.	McDonald.
Coffee.	McKean.
Collins.	Martin.
Covey.	Mathes.
Cowen.	Maxwell.
Crawford.	Melson.
Culp.	Merriman.
Davenport.	Marritt.
Davis.	Miller.
DeBerry.	Montgomery.
Dielmann.	Moore.
Dinkle.	Morgan
Dodd.	of Liberty.
Downs.	Morgan
Driggers.	of Robertson.
Duffey.	Pate.
Dunlap.	Patman.
Dunn.	Patterson.
Edwards.	Perdue.
Faubion.	Pinkston.
Fields.	Pope.
Finlay.	Potter.
Frnka.	Price.
Fugler.	Purl.
Gipson.	Quaid.
Green.	Quinn.
Greer.	Rice.
Hardin of Erath.	Robinson.
Hardin	Rogers.
of Kaufman.	Rountree.
Harrington.	Rowland.
Harris.	Russell of Trinity.

Russell	Storey.
of Callahan.	Strickland.
Sackett.	Stroder.
Sanford.	Sweet.
Satterwhite.	Teer.
Shearer.	Thompson.
Shires.	Thrasher.
Simpson.	Turner.
Smith.	Wallace.
Sparkman.	Wells.
Stell.	Westbrook.
Stevens.	Wessels.
Stewart	Williamson.
of Edwards.	Wilmans.
Stewart of Jasper.	Winfree.
Stewart of Reeves.	Young.
Stiernberg.	

Absent.

Durham.

Absent—Excused.

Brady.	McNatt.
Burmeister.	Pool.
Johnson.	Vaughan.
Lamb.	Wilson.
McFarlane.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Russell of Callahan for yesterday and today, on motion of Mr. Green.

Mr. Rountree for today, on motion of Mr. Martin.

Mr. Wilson for today, on motion of Mr. Patterson.

Mr. Williamson for today, on motion of Mr. Dielmann.

Mr. Brady for today, on motion of Mr. Shearer.

Mr. McFarlane, for today, on motion of Mr. Greer.

On motion of Mr. Abney, the Committee on Common Carriers was excused for this morning on account of important committee work.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally the first time, and referred to the appropriate committees, as follows:

By Mr. Morgan:

H. B. No. 296, A bill to be entitled "An Act to amend Article 6863, Chapter

1, Title 119, of the Revised Civil Statutes of Texas, 1911, which article relates to the laying out and opening of first class roads by the commissioners courts of the several counties and prescribes certain regulations with reference thereto; removing the restriction contained in said article prohibiting the laying out of such roads across orchards, lots or within one hundred feet of a residence without consent of the owners, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Maxwell:

H. B. No. 297, A bill to be entitled "An Act to amend Articles 3935, 3936, 3937, 3938 and 3939, Title 60, of the Revised Civil Statutes of 1911, relating to the State fiscal year, by changing the fiscal year to end June 30th instead of August 31st, and by adding thereto Articles 3936a, 3936b, 3936c and 3936d; providing for notice to be given by the State Comptroller to all persons who have authority to make expenditures, or incur obligations on the part of the State; providing for reports to be made, filed and printed; and providing for the closing of all appropriation accounts, making certain exceptions, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Patman, Mr. Price, Mr. Simpson, Mr. Green and Mr. Melson:

H. B. No. 298, A bill to be entitled "An Act to appropriate five million dollars (\$5,000,000) out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1923, and ending August 31, 1924, and five million dollars (\$5,000,000) out of the general funds of the State to aid all the public schools for the scholastic year beginning September 1, 1924, and ending August 31, 1925, the same to be distributed as the available school fund is now distributed, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Patman, Mr. Price, Mr. Green and Mr. Melson:

H. B. No. 299, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate

school facilities for the education of their children, by the appropriation of three million dollars per year, or so much thereof as may be necessary, for the next two fiscal years, ending August 31, 1924, and August 31, 1925, respectively, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished, and maintained; providing certain prerequisites for the granting of such aid, and providing no school having over five hundred scholars shall receive such aid, giving preference to all school districts in which the available school fund, together with the local district tax, will not maintain the school six months in the year; limiting the amount which any school may receive; providing for aid for schools where extraordinary conditions prevent school from meeting stated requirements; providing assistance for such rural schools as will afford instruction and demonstration in home and farm vocations according to plans approved by the State Department of Education; providing assistance for small districts which effect consolidation during the next two fiscal years; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith."

Referred to Committee on Appropriations.

By Mr. Faubion:

H. B. No. 300, A bill to be entitled "An Act amending Sections 1, 2, 3, 4, 7 and 9 of Chapter 62, of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, regulating the sale of and defining agricultural and garden seeds and mixed seeds; requiring their proper labelling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificates of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases, prohibiting under certain conditions re-

covery of damages for a breach of any legal duty or obligation in the sale of said agricultural seeds; designating an officer for the enforcement of the provisions of this act; fixing penalties for its violation, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Green, Mr. Russell of Callahan, and Mr. Maxwell:

H. B. No. 301, A bill to be entitled "An Act reorganizing the Forty-second Judicial District of Texas; defining its limitations and naming the counties which shall constitute same; providing for the transfer of Stephens county from said district to the Ninetieth Judicial District of Texas; providing for the transfer of all cases on the docket of the Forty-second Judicial District in said county; and validating all writs, bonds, recognizances, and process in all cases pending upon the dockets of the district courts in the aforesaid counties, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Patterson:

H. B. No. 302, A bill to be entitled "An Act to amend Chapter 14, Title 48, of the Revised Civil Statutes of 1911, by adding thereto a new article to be designated as Article 2809a, providing that any person 16 years or more of age, who shall be graduated from an accredited high school or academy of the first class in the State of Texas, shall be entitled to receive from the Superintendent of Public Instruction a State teacher's certificate of the first grade, valid for a period of two years from such graduation; providing, that a person less than sixteen years of age, who shall be graduated from such high school or academy, shall, upon attaining the age of sixteen, be entitled to such certificate; also, providing, that one of the units required for graduation in such high school or academy shall be a unit in pedagogy; further providing, the Superintendent of Public Instruction may renew such certificate for a period of two years, providing the holder thereof shall have taught in the public schools of Texas fourteen months during the first period of two years hereinafter designated; providing further, that such certificate shall not be renewed the second time."

Referred to Committee on Education.

By Mr. Dinkle:

H. B. No. 303, A bill to be entitled "An Act providing for the levy and collection of income taxes upon individuals, firms, copartnerships, corporations, joint stock companies and associations residing or doing business within the State of Texas and upon non-residents having income from property located in or business transacted within the State of Texas; fixing the rates of tax to be levied and collected from such income; providing for exemptions of amounts or parts of incomes, such exemptions to be excepted from said tax; providing for county income assessors and county income tax collectors; providing the manner of making income tax reports; and returns by individuals, companies, copartnerships and associations; providing the manner of making income tax reports and returns by individuals, companies, copartnerships and associations; providing for the compensation of county income assessors and county income tax collectors; providing for the disposition of the revenues arising under the provisions of this act; designating what shall constitute income, coming under the provisions of this act; and allowing such reductions from gross income for the purpose of calculating net income; providing for the appointment of supervisors and assistants required for the proper administration of the provisions hereof; making an appropriation for the purpose of carrying into effect the provisions of this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Martin:

H. B. No. 304, A bill to be entitled "An Act creating the Rochester Independent School District in Haskell county, Texas; defining its boundaries; including the present Rochester Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing for the validation of the maintenance tax and bonds heretofore voted in said district; providing that said district may

extend its boundaries in accordance with the general laws; providing that the outstanding bonded indebtedness of said district shall remain in full force, and providing that said district as herein created may assume such indebtedness; providing for a board of equalization, a tax assessor and collector for said district, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Satterwhite:

H. B. No. 305, A bill to be entitled "An Act providing for uniformity in ad valorem taxes for State purposes; creating a State tax board; amending Articles 7407, 7408, 7409, 7411, 7414, 7418 and 7423, Revised Civil Statutes; and adding to Chapter 4, Title 126, two new articles to be numbered Articles 7411a and 7411b, so as to effectuate the purpose of this act; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Jones:

H. B. No. 306, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the Eagle Pass Independent School District in the county of Maverick and State of Texas, and other lands and territory adjacent thereto in Maverick county, to incorporate as an independent district for free school purposes only, to be hereafter known as the Eagle Pass Independent School District, with all the powers, rights, privileges and duties of independent school districts formed by incorporation of territory for free school purposes only; and to provide for an election on the question of divesting the old Eagle Pass Independent School District of control of its public school and title to school properties, and vesting the same in the new Eagle Pass Independent School District and its board of trustees; providing for a board of school trustees for the control and management of said independent school district; providing that all funds held for public school purposes and to be used in the territory included in the new district shall be turned over to the trustees of the new district as herein provided may be created; provided that any outstanding bonds or indebtedness of the old district may, upon an election being held in the new district, be paid

by a tax duly levied in the new district; provided other incidental provisions, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Jones:

H. B. No. 307, A bill to be entitled "An Act creating the Brackett Independent School District in Kinney county, Texas; defining its boundaries; including the present Brackett Independent School District; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws upon independent school districts and the board of trustees thereof; providing that the present board of trustees shall continue in office until the expiration of their respective terms and validating their elections; providing that outstanding bonds shall remain chargeable against the territory which voted same; providing for an election for the purpose of assuming said bonded indebtedness by the district as herein created; providing for the appointment of an assessor and collector and board of equalization for said district, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Vaughan:

H. B. No. 308, A bill to be entitled "An Act to prevent the selling of bass, perch, or crappie, or catfish, taken from the fresh waters in the county of Comal, State of Texas; making it unlawful to use any dynamite or other explosives in the killing or catching of any fish of the fresh waters of said county, and providing a penalty for the violation thereof; prohibiting the use of any seine, drag net, trammel net or other net other than a minnow seine, which shall not be more than ten feet in length and the meshes of which shall not be smaller than one-fourth inch; providing for a closed season; prescribing the size of fish that may be taken; limiting the number of bass to be taken in any one day; providing that the district judge of the judicial district in which Comal county is situated shall give a special charge upon this law to the grand juries of Comal county; providing a penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Davenport:

H. B. No. 309, A bill to be entitled "An Act constituting Bexar county the Thirty-seventh, Forty-fifth, Fifty-seventh, Seventy-third, and Ninety-fourth Judicial Districts; providing for the present judges of the Thirty-seventh, Forty-fifth, Fifty-seventh, and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; the appointment of a suitable person by the Governor as judge of the Ninety-fourth Judicial District to hold until the next general election; prescribing the jurisdiction of said courts and providing for the election of judges thereof, and for the district attorney of the Thirty-seventh Judicial District to be the district attorney of all of said courts; and providing the terms of said courts, and providing for the empaneling of grand juries in the Thirty-seventh, Forty-fifth, and Ninety-fourth Judicial Districts, and providing that the said grand juries shall return all bills of indictment to the court in which said grand jury was empaneled; and providing that said Thirty-seventh, Forty-fifth, and Ninety-fourth Judicial District courts shall give preference to the trial of criminal cases; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Culp:

H. B. No. 310, A bill to be entitled "An Act to amend Article 7383 of the Revised Civil Statutes of the State of Texas of 1911, relating to occupation taxes based upon gross receipts of individuals, companies, corporations and associations engaged in the business of producing oil from oil wells in the State, as amended by Chapter 77 of the Acts of the Thirty-sixth Legislature of the State of Texas at its Regular Session; repealing Article 7383a as enacted by the Thirty-sixth Legislature, and adding in lieu thereof a new Article 7383a providing an occupation tax on sulphur produced in the State of Texas; providing that in the event either article or part of article be held unconstitutional by the courts it shall not invalidate the remainder of said article or articles, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Baldwin and Mr. Purl:

H. B. No. 311, A bill to be entitled "An Act amending Section 14 of Article 7355 of the Revised Civil Statutes of 1911, relative to occupation taxes, fixing the amount of taxes to be levied on all circuses, shows, amusement companies, trained animal shows, wild west shows, carnival companies, and character of similar exhibitions; conferring upon counties, incorporated cities, towns and villages authority to levy occupation taxes; providing for the bringing of suits for the collection of such taxes due the State of Texas and fixing the venue thereof; specifically repealing the provisions made in Section 15 of Article 7355 pertaining to carnivals, shows, amusements or entertainments held under the auspices, direction or control of any chamber of commerce of any city or other similar organizations and generally repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Barker:

H. B. No. 312, A bill to be entitled "An Act amending Sections 6 and 7 of an act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled, 'An Act to preserve, propagate, distribute, and protect the wild game, wild birds, wild fowl of the State,' etc., being H. B. No. 457, Chapter 157, of the Regular Session Laws, and to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Fugler, Mr. Moore, and Mr. Melson:

H. B. No. 313, A bill to be entitled "An Act providing for the supervision and regulation of the transportation of persons and property for compensation and hire over any public highway by motor propelled vehicles; defining auto transportation companies as common carriers and providing for the supervision and regulation thereof by the Railroad Commission of Texas; providing for the issuance of certificates of convenience and necessity for the operation of auto transportation companies; defining the duties and powers of the Railroad Commission of Texas; authorizing the Railroad Commission of Texas to make rules and regulations for governing auto transportation companies, to

fix rates, supervise service, make investigation of books, accounts and the doing of all other matters and things pertaining to auto transportation that may be necessary in the matter of regulation and control; authorizing the Railroad Commission of Texas to punish for contempt for the violation of its rules and regulations; providing a penalty for the violation of the law and the rules and regulations of the Railroad Commission of Texas; providing for the collection of an annual fee to defray the cost of administering and enforcing this law; providing for additional office space and the employment of the necessary employees to administer and enforce this law and the payment of such employees and all other expenses out of the funds derived from fees and fines and providing for payment in event of deficit, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Jones, Senate bill No. 31 was ordered not printed.

#### RELATING TO FEDERAL AID TO THE SEVERAL STATES.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 7, Relating to Federal aid to the several States, commonly known as fifty-fifty appropriations.

The resolution having been read second time on Friday, January 19.

On motion of Mr. Dodd, further consideration of the resolution was postponed indefinitely.

Mr. Dodd moved to reconsider the vote by which the resolution was postponed indefinitely, and to table the motion to reconsider.

The motion to table prevailed.

#### ENTERTAINMENT BY UNIVERSITY BAND.

The Speaker laid before the House and had read the following committee report: To the Speaker:

We, your committee to make arrangements with the Longhorn Band of the University of Texas to put on a concert in this Hall on next Friday evening at

7:30 o'clock, beg leave to report that the said Longhorn Band accepted our invitation and that they will be here on aforesaid date.

MORGAN of Robertson,  
ROBINSON,  
YOUNG,

Committee.

#### SENATE BILL NO. 34 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 34, A bill to be entitled "An Act to amend Articles 7800, 7801 and 7803, of Title 130, Chapter 1, of the Revised Statutes of Texas, 1911, so as to provide for the forfeiture of the charter of any domestic corporation and to prohibit any foreign corporation from doing business in this State which has been adjudged guilty of violating the anti-trust laws of this State; prescribing the methods by which the charter of a domestic corporation may be forfeited and a foreign corporation denied the right to do business in Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 34 ON THIRD READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 34 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Abney.	Carter of Hays.
Amsler.	Chitwood.
Arnold.	Coffee.
Atkinson.	Collins.
Baker of Milam.	Covey.
Baker of Orange.	Cowen.
Baldwin.	Culp.
Barker.	Davenport.
Barrett.	Dielmann.
Beasley.	Dinkle.
Bobbitt.	Dodd.
Bonham.	Downs.
Cable.	Duffey.
Carpenter	Dunlap.
of Dallas.	Dunn.
Carpenter	Edwards.
of Matagorda.	Faubion.
Carson.	Fields.
Carter of Coke.	Frnka.

Greer.	Morgan
Hardin of Erath.	of Robertson.
Hardin	Pate.
of Kaufman.	Patman.
Harris.	Patterson.
Henderson	Perdue.
of Marion.	Pinkston.
Henderson	Pope.
of McLennan.	Price.
Houston.	Quaid.
Howeth.	Quinn.
Irwin.	Rice.
Jacks.	Rowland.
Jennings.	Russell of Trinity.
Jones.	Sackett.
Kemble.	Sanford.
Lackey.	Satterwhite.
Laird.	Shearer.
Lane.	Shires.
LeMaster.	Simpson.
LeStourgeon.	Sparkman.
Lusk.	Stell.
McBride.	Stevens.
McDaniel.	Stewart of Jasper.
McDonald.	Stewart of Reeves.
McKean.	Stiernberg.
Martin.	Stroder.
Mathes.	Sweet.
Maxwell.	Teer.
Merritt.	Thrasher.
Miller.	Wallace.
Montgomery.	Wilmans.
Moore.	Young.
Morgan	
of Liberty.	

Nays—1.

Davis.

Absent.

Avis.	Looney.
Bell.	Melson.
Blount.	Merriman.
Durham.	Russell
Gipson.	of Callahan.
Harrington.	Smith.
Hendricks.	Strickland.
Hull.	Wells.
Loftin.	

Absent—Excused.

Bird.	McFarlane.
Brady.	McNatt.
Bryant.	Pool.
Burmeister.	Potter.
Crawford.	Purl.
DeBerry.	Robinson.
Driggers.	Rogers.
Finlay.	Rountree.
Fugler.	Stewart
Green.	of Edwards.
Hughes.	Storey.
Johnson.	Thompson.
Lamb.	Turner.
Lewis.	Vaughan.

Westbrook.  
Wessels.  
Williamson.

Wilson.  
Winfree.

The Speaker then laid Senate bill No. 34 before the House, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Lackey.
Abney.	Laird.
Amsler.	Lane.
Arnold.	LeMaster.
Baker of Milam.	LeStourgeon.
Baker of Orange.	Looney.
Baldwin.	Lusk.
Barker.	McBride.
Barrett.	McDaniel.
Beasley.	McDonald.
Blount.	Martin.
Bobbitt.	Mathes.
Bonham.	Maxwell.
Cable.	Melson.
Carpenter	Merritt.
of Dallas.	Miller.
Carpenter	Montgomery.
of Matagorda.	Moore.
Carson.	Morgan
Carter of Coke.	of Liberty.
Carter of Hays.	Morgan
Chitwood.	of Robertson.
Coffee.	Pate.
Collins.	Patterson.
Covey.	Perdue.
Cowen.	Pinkston.
Davenport.	Pope.
Davis.	Price.
Dielmann.	Quaid.
Dinkle.	Quinn.
Dodd.	Rice.
Downs.	Rowland.
Duffey.	Russell of Trinity.
Dunlap.	Sackett.
Dunn.	Sanford.
Edwards.	Satterwhite.
Faubion.	Shearer.
Frnka.	Shires.
Gipson.	Simpson.
Green.	Sparkman.
Hardin of Erath.	Stell.
Hardin	Stevens.
of Kaufman.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of Marion.	Strickland.
Henderson	Stroder.
of McLennan.	Sweet.
Houston.	Teer.
Howeth.	Thrasher.
Irwin.	Wallace.
Jacks.	Wells.
Jennings.	Wilmans.
Jones.	Young.
Kemble.	

## Present—Not Voting.

Harris.	Stiernberg.
	Absent.
Atkinson.	Hull.
Avis.	Loftin.
Bell.	McKean.
Culp.	Merriman.
Durham.	Patman.
Fields.	Russell.
Harrington.	of Callahan.
Hendricks.	Smith.

## Absent—Excused.

Bird.	Potter.
Brady.	Purl.
Bryant.	Robinson.
Burmeister.	Rogers.
Crawford.	Rountree.
DeBerry.	Stewart.
Driggers.	of Edwards.
Finlay.	Storey.
Fugler.	Thompson.
Greer.	Turner.
Hughes.	Vaughan.
Johnson.	Westbrook.
Lamb.	Wessels.
Lewis.	Williamson.
McFarlane.	Wilson.
McNatt.	Winfree.
Pool.	

HOUSE BILL NO. 110 ON FINAL  
PASSAGE.

The Speaker laid before the House, as postponed business, on its final passage,

H. B. No. 110, A bill to be entitled "An Act to establish reciprocity between insurance companies organized under the laws of the State of Texas and those of other States or foreign countries, imposing on such foreign insurance companies and their agents the same requirements, conditions and the payment of such sums of money, whether as taxes, license fees, fines, penalties or deposits of securities as may be required by the home State of such foreign insurance company or companies of companies organized in this State or the agents thereof, and empowering the Commissioner of Insurance and Banking to refuse or cancel permits of foreign insurance companies where permits of Texas companies would be refused or canceled in such foreign State or territory, and declaring an emergency."

The bill having been read third time on last Saturday.

Mr. Quinn offered the following (committee) amendment to the bill:

Amend House bill No. 110, in lines 11 and 12, page 3, after the word "insurance," insert the word "companies."

The amendment was adopted.

Mr. Quinn offered the following (committee) amendment to the bill:

Amend House bill No. 110, in line 10, page 3, after the word "this" strike out the word "date," and insert in lieu thereof the word "State."

The amendment was adopted.

Mr. Quinn offered the following (committee) amendment to the bill:

Amend the caption of the bill as follows: In line 4 strike out the word "same" and the word "the" before it, and insert in lieu thereof the word "such." In line 8, after the word "thereof" add the following: "In excess of those imposed by this State."

The amendment was adopted.

Mr. Perdue offered the following amendment to the bill:

Amend House bill No. 110, by striking out the word "of," in line 21, page 1, and insert in lieu thereof the word "or."

The amendment was adopted.

Mr. Perdue offered the following amendment to the bill:

Amend House bill No. 110, by inserting the word "any" after the word "of" in line 33, page 1.

The amendment was adopted.

House bill No. 110 was then finally passed.

Mr. Pope moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 1  
ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 1, Providing for the amendment to Article 3 of the Constitution of the State of Texas adding thereto Section 59, authorizing the State of Texas to appropriate money from the general revenue and issue bonds and to lend its credit for the purpose of constructing and maintaining terminal fireproof warehouses and grain elevators at the ports of Texas for the storage of the products of the farm, ranch and orchard, and for loading for shipment for water transportation; and authorizing counties or any political subdivision thereof, or any number of counties adjoining or any defined district within the State to issue



its bonds for the construction of local fireproof warehouses, grain elevators, cold storage and curing plants, and any other buildings desirable for the storage and conservation of the products of the farm, ranch and orchard.

The resolution was read second time.

Mr. Bryant offered the following amendment to the resolution:

Amend H. J. R. No. 1 by striking out the word "to" in line 23, page 1, before the word "issue," and insert in lieu thereof the word "or."

The amendment was adopted.

Mr. Bryant offered the following amendment to the resolution:

Amend H. J. R. No. 1 by inserting the word "public" before the word "fireproof" where it appears in lines 24 and 38, page 1.

The amendment was adopted.

Mr. Jacks offered the following amendment to the resolution:

Amend H. J. R. No. 1 by striking out all words beginning after the words "Section 49" in line 22, page 1, through the word "transportation" in line 29, page 1.

Mr. Price offered the following substitute for the amendment:

Amend House Joint Resolution No. 1, page 1, by inserting in line 27, after the word "State," the words "or any other place in the State," and by inserting in line 29, after the word "transportation" the words "or other transportation."

Mr. Carter of Coke moved the previous question on the pending amendment, substitute and the bill, and the main question was ordered.

Question first recurring on the substitute by Mr. Price, yeas and nays were demanded.

The substitute was adopted by the following vote:

Yeas—106.

Abney.	Carpenter
Amsler.	of Matagorda.
Arnold.	Carson.
Atkinson.	Coffee.
Avis.	Collins.
Baker of Milam.	Covey.
Baker of Orange.	Cowen.
Barker.	Crawford.
Barrett.	Culp.
Bird.	Davenport.
Blount.	Davis.
Bobbitt.	DeBerry.
Bryant.	Dielmann.
Cable.	Dodd.
Carpenter	Downs.
of Dallas.	Duffey.

Dunlap.	Pate.
Dunn.	Patman.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finlay.	Pope.
Frnka.	Potter.
Gipson.	Price.
Greer.	Purl.
Hardin of Erath.	Rice.
Harrington.	Robinson.
Henderson	Rogers.
of Marion.	Rowland.
Henderson	Russell of Trinity.
of McLennan.	Sackett.
Hendricks.	Sanford.
Howeth.	Shearer.
Hughes.	Shires.
Irwin.	Simpson.
Jennings.	Smith.
Houston.	Sparkman.
Lackey.	Stell.
Laird.	Stevens.
Lane.	Stewart
LeMaster.	of Edwards.
LeSturgeon.	Stewart of Jasper.
Loftin.	Storey.
Lusk.	Strickland.
McBride.	Stroder.
McDaniel.	Sweet.
McDonald.	Thompson.
McKean.	Turner.
Martin.	Wallace.
Mathes.	Wells.
Maxwell.	Westbrook.
Melson.	Wessels.
Merritt.	Williamson.
Miller.	Winfree.
Moore.	Young.
Morgan	
of Robertson.	

Nays—17.

Beasley.	Looney.
Carter of Coke.	Merriman.
Driggers.	Morgan
Green.	of Liberty.
Hardin	Quaid.
of Kaufman.	Russell
Harris.	of Callahan.
Jacks.	Satterwhite.
Jones.	Stewart of Reeves.
Kemble.	Wilmans.

Present—Not Voting.

Stiernberg.

Absent.

Baldwin.	Fugler.
Bell.	Hull.
Bonham.	Montgomery.
Carter of Hays.	Quinn.
Chitwood.	Teer.
Dinkle.	Thrasher.
Durham.	

## Absent—Excused.

Brady.	McNatt.
Burmeister.	Pool.
Johnson.	Rountree.
Lamb.	Vaughan.
Lewis.	Wilson.
McFarlane.	

Question then recurring on the amendment as substituted, it was adopted.

Question next recurring on the engrossment of the resolution, yeas and nays were demanded.

H. J. R. No. 1 was then passed to engrossment by the following vote:

## Yeas—93.

Mr. Speaker.	Laird.
Arnold.	Lane.
Atkinson.	LeStourgeon.
Avis.	Lusk.
Baker of Milam.	McBride.
Baker of Orange.	McDaniel.
Barker.	McDonald.
Bell.	McKean.
Bird.	Mathes.
Bobbitt.	Maxwell.
Bonham.	Melson.
Bryant.	Merritt.
Cable.	Miller.
Carpenter	Montgomery.
of Dallas.	Morgan
Carpenter	of Robertson.
of Matagorda.	Pate.
Carson.	Patman.
Carter of Hays.	Patterson.
Coffee.	Perdue.
Cowen.	Pinkston.
Crawford.	Pope.
Culp.	Potter.
Davenport.	Price.
Davis.	Rice.
DeBerry.	Robinson.
Dielmann.	Rogers.
Dodd.	Rowland.
Downs.	Russell
Driggers.	of Callahan.
Duffey.	Russell of Trinity.
Dunlap.	Sackett.
Dunn.	Sanford.
Edwards.	Satterwhite.
Faubion.	Shearer.
Fields.	Shires.
Finlay.	Simpson.
Frnka.	Smith.
Fugler.	Sparkman.
Gipson.	Stell.
Greer.	Stewart
Hendricks.	of Edwards.
Henderson	Stewart of Reeves.
of Marion.	Stroder.
Howeth.	Sweet.
Irwin.	Thompson.
Lackey.	Turner.

Wallace.  
Wells.  
Westbrook.

Williamson.  
Winfree.  
Young.

## Nays—35.

Abney.	Jennnigs.
Amsler.	Jones.
Barrett.	Kemble.
Beasley.	LeMaster.
Blount.	Loftin.
Carter of Coke.	Looney.
Collins.	Merriman.
Covey.	Moore.
Green.	Morgan
Hardin of Erath.	of Liberty.
Hardin	Purl.
of Kaufman.	Quaid.
Harrington.	Stevens.
Harris.	Stewart of Jasper.
Henderson	Storey.
of McLennan.	Strickland.
Houston.	Wessels.
Hughes.	Wilmons.
Jacks.	

## Absent.

Baldwin.	Martin.
Chitwood.	Quinn.
Dinkle.	Stiernberg.
Durham.	Teer.
Hull.	Thrasher.
Lewis.	

## Absent—Excused.

Brady.	McNatt.
Burmeister.	Pool.
Johnson.	Rountree.
Lamb.	Vaughan.
McFarlane.	Wilson.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, January 24, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 21, A bill to be entitled "An Act to amend Section 2 of Chapter 57 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-first Legislature, 1909, by substituting therefor a new section; providing for the appointment of a clerk of the Court of Criminal Appeals; fixing his salary and defining his powers and duties; abolishing the salary of deputy clerk; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 49, A bill to be entitled "An Act to amend Chapter 3 of Title

118, Registration, of the Revised Civil Statutes of the State of Texas of 1911, by adding thereto Article 6840a, and 6840b, providing for the filing with the county clerk as the recorder, of notices or statements of all liens, and claims and releases thereof, in favor of the Government of the United States or of any department or bureau thereof, providing how such notices or statements shall be filed, recorded and indexed, how said clerks shall be compensated for said services, repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 59, A bill to be entitled "An Act to amend Chapter 12, pages 21 and 22, of the laws passed at the First Called Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Sixty-third Judicial District, so that Section 1 of said act shall hereafter read as follows, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 24, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 92, A bill to be entitled "An Act to prescribe the time and fix the terms of holding the district courts in the counties comprising the Seventy-ninth Judicial District of Texas; and to conform all writs and process from such courts to such changes and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of courts in such districts as herein fixed, and to validate the summoning of grand and petit jurors therein; to repeal Section 2 of Chapter 48 of the Laws of the Thirty-fourth Legislature, passed and approved March 12, 1915, relating to the time of holding district courts in said district, and repealing Chapter 8 of the Laws of the Thirty-seventh Legislature, passed and approved February 2, 1921, relating to the time of holding courts in said district, and repealing Chapter 5 of the General Laws passed by the First Called Session of the Thirty-seventh Legislature, approved August 14, 1921, and repealing all laws in conflict with this act, and declaring an emergency."

S. B. No. 93, A bill to be entitled "An Act to create the ——— Judicial District and providing the time and fixing the terms of holding the district courts in the counties comprising said ——— Judicial District of Texas, and to conform all writs and process issued from the district courts of the Seventy-ninth Judicial District therewith, and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of courts in said district as herein fixed; and to validate the summoning of grand and petit jurors, all such process, recognizances and bonds as were issued, taken or approved in or by the Seventy-ninth Judicial District, and making same returnable and enforceable in the courts and at the terms of courts created by this act; and repealing all laws in conflict with this act, and declaring an emergency."

S. B. No. 120, A bill to be entitled "An Act authorizing cities having more than twenty-five thousand inhabitants and owning and operating their own waterworks system to acquire by purchase, gift, devise or by the right of eminent domain through and by condemnation proceedings, the necessary lands and property, public or private, including riparian rights, lying within any such city or outside any such city or in any county in the State for the purpose of constructing reservoirs and for the purpose of the extension, construction, improvement and enlargement of the said waterworks systems, including the construction of dams, wells, water supply reservoirs, water sheds and such other necessary appurtenances and facilities in order to furnish to any such city an adequate supply of wholesome water; defining the governing authorities and prescribing the procedure in cases of the exercise of the right of eminent domain by condemnation, and providing for an emergency."

S. B. No. 157, A bill to be entitled "An Act creating the Rankin Independent School District in Upton county, Texas; enlarging and defining its boundaries, including the present Rankin Independent School District, providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts, and the board of trustees thereof; providing

that the present board of trustees continue in office until the expiration of their respective terms."

Respectfully,  
**RICHARD BLALOCK,**  
 Assistant Secretary of the Senate.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 60, "An Act creating the Ninety-second Judicial District to be composed of the counties of Young, Archer and Clay, and fixing the terms of said court; providing for the appointment of a district judge; providing that the Thirtieth Judicial District, now composed of the counties of Young, Archer, Clay and Wichita, shall hereafter be composed of Wichita county alone, and fixing the terms of the Thirtieth Judicial District; providing for officers of the court, and preserving the status of cases and proceedings, and providing that the county attorneys of the respective counties within said Ninety-second District shall perform the duties of district attorney in their counties as well as the duties now performed by them, and providing fees of office, and declaring an emergency."

#### RECESS.

Mr. Jennings moved that the House recess until 2 o'clock p. m. today.

Mr. Patman moved that the House recess until 2:30 o'clock p. m. today.

Mr. Wessels moved that the House recess until 3 o'clock p. m. today.

The motion of Mr. Wessels prevailed, and the House accordingly, at 12:10 o'clock p. m., took recess until 3 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 3 o'clock p. m., and was called to order by the Speaker.

Mr. Satterwhite moved that the House recess until 4 o'clock p. m. today, as a tribute of respect to Hon. Allison Mayfield, whose funeral will take place between the hours of 3 o'clock p. m. and 4 o'clock p. m. today.

The motion prevailed, and the House, accordingly at 3 o'clock p. m., took recess until 4 o'clock p. m. today.

The House met at 4 o'clock p. m. and was called to order by the Speaker.

#### EMPLOYEE OF THE HOUSE.

The Speaker announced the appointment of the following:

Stenographer to the Speaker—Miss Maud McDannell.

#### SENATE BILL NO. 31 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 31, A bill to be entitled "An Act to authorize the cities having more than 25,000 population to purchase and condemn real estate for the purpose of laying out, establishing, straightening, widening, opening or extending highways, public squares or public places therein, and to provide for the cost thereof, and for the assessment of such costs against property benefited by such improvements and against its owners, and to enforce the collection thereof, and declaring an emergency."

The bill was read second time and passed to third reading.

#### BILL ORDERED PRINTED.

On motion of Mr. Laird, House bill No. 176, with an adverse report by the committee and minority favorable report, was ordered printed.

#### MOTION TO PRINT BILL.

Mr. McKean moved that House bill No. 263, with an adverse report by the committee and minority favorable report, be printed.

The motion was lost.

#### HOUSE BILL NO. 13 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 13, A bill to be entitled "An Act providing for the licensing, bonding and regulating of private employment agents; limiting the fee charged by such agents; providing for the cancellation of such license; prescribing the duties of the Commissioner of Labor Statistics for the State of Texas with reference to the enforcement of this act; providing for recoveries on said bond; fixing penalties for the violation of this act; creating a special fund for the enforcement of this act and appropriating same for said purposes; repealing certain laws and all

laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time.

On motion of Mr. Jones, further consideration of the bill was postponed until tomorrow.

#### HOUSE BILL NO. 14 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 14, A bill to be entitled "An Act to amend Section 1 of Article 7355, Title 126, Revised Civil Statutes of Texas (1911), and also by adding thereto Section 1½, relating to occupation taxes on itinerant merchants, or persons, firms, companies or association of persons temporarily engaging in the mercantile business, fixing penalty, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 60 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 60, A bill to be entitled "An Act to create and provide for a Department of Insurance for the State of Texas, separate and distinct from the Department of Banking of this State, to provide for the appointment, term of office, name, compensation, and to prescribe the qualifications and the powers and duties of the head of such department; to provide for a seal of such office; to require of the Commissioner of Insurance an oath of office and a bond for the faithful discharge of his duties; to provide for a deputy commissioner, and to define the duties and powers and obligations of the deputy commissioner, and to provide for actuaries and examiners, and for clerical help for such department; to amend Chapter 7 of Title 65 of the Revised Statutes of the State of Texas, and particularly to amend Articles 4485, 4486, 4487, 4488, 4489, 4490, 4491 and 4492, and to repeal all laws and parts of laws in conflict herewith and to declare an emergency."

The bill was read third time.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 60 was then passed by the following vote:

Yeas—83.

Arnold.	LeStourgeon.
Avis.	Looney.
Baker of Milam.	Lusk.
Baker of Orange.	McBride.
Barker.	McDonald.
Barrett.	Martin.
Blount.	Maxwell.
Bobbitt.	Melson.
Bonham.	Montgomery.
Carpenter	Moore.
of Dallas.	Morgan
Carson.	of Liberty.
Carter of Hays.	Morgan
Coffee.	of Robertson.
Collins.	Pate.
Covey.	Patterson.
Cowen.	Perdue.
Dielmann.	Pinkston.
Downs.	Pope.
Driggers.	Quinn.
Duffey.	Robinson.
Dunlap.	Rowland.
Dunn.	Russell
Edwards.	of Callahan.
Faubion.	Russell of Trinity.
Finlay.	Sackett.
Fugler.	Satterwhite.
Gipson.	Shearer.
Green.	Shires.
Greer.	Simpson.
Hardin of Erath.	Smith.
Harrington.	Sparkman.
Henderson	Stell.
of Marion.	Stevens.
Hendricks.	Stewart of Reeves.
Howeth.	Stiernberg.
Hughes.	Strickland.
Hull.	Stroder.
Irwin.	Sweet.
Jacks.	Teer.
Lackey.	Thrasher.
Laird.	Wells.
Lane.	Wilmans.
LeMaster.	Young.

Nays—29.

Abney.	Jones.
Amsler.	Loftin.
Atkinson.	McDaniel.
Beasley.	Mathes.
Cable.	Merriman.
Culp.	Merritt.
Davis.	Patman.
Dodd.	Price.
Fields.	Quaid.
Frnka.	Rice.
Hardin	Sanford.
of Kaufman.	Stewart
Harris.	of Edwards.
Henderson	Stewart of Jasper.
of McLennan.	Thompson.
Jennings.	Wallace.

## Absent.

Baldwin.	Dinkle.
Bell.	Durham.
Carpenter	Houston.
of Matagorda.	Kemble.
Carter of Coke.	McKean.
Chitwood.	Miller.
Davenport.	

## Absent—Excused.

Bird.	Potter.
Brady.	Purl.
Bryant.	Rogers.
Burmeister.	Rountree.
Crawford.	Storey.
DeBerry.	Turner.
Johnson.	Vaughan.
Lamb.	Westbrook.
Lewis.	Wessels.
McFarlane.	Williamson.
McNatt.	Wilson.
Pool.	Winfree.

SENATE BILL NO. 31 ON SECOND  
READING.

Mr. Henderson of McLennan moved to reconsider the vote by which Senate bill No. 31 was passed to third reading.

The motion to reconsider prevailed.

The Speaker then laid Senate bill No. 31 before the House on its passage to third reading.

Mr. Henderson of McLennan offered the following amendment to the bill:

Amend S. B. No. 31 by adding a section to read as follows:

"Section 21a. The provisions of this act shall not apply to cities or towns incorporated under either general or special laws, unless said cities or towns shall have adopted the provisions of this act at an election held for that purpose, as now provided by Article 1016, Revised Civil Statutes of Texas."

Mr. Carpenter of Dallas moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

## Yeas—65.

Amsler.	Carson.
Arnold.	Carter of Coke.
Baker of Milam.	Carter of Hays.
Baker of Orange.	Chitwood.
Bell.	Coffee.
Blount.	Collins.
Bobbitt.	Cowen.
Carpenter	Culp.
of Dallas.	Dielmann.
Carpenter	Driggers.
of Matagorda.	Duffey.

Dunlap.	Montgomery.
Edwards.	Morgan
Faubion.	of Liberty.
Fields.	Pate.
Finlay.	Pinkston.
Gipson.	Pope.
Greer.	Quaid.
Harrington.	Quinn.
Hull.	Rice.
Irwin.	Robinson.
Jacks.	Russell of Trinity.
Jennings.	Sackett.
Jones.	Satterwhite.
Kemble.	Shearer.
Lackey.	Simpson.
Lane.	Sparkman.
LeMaster.	Stell.
LeSturgeon.	Strickland.
Lusk.	Stroder.
McDonald.	Teer.
Martin.	Wells.
Maxwell.	Wilmans.
Melson.	Young.

## Nays—42.

Abney.	Looney.
Atkinson.	McDaniel.
Avis.	Mathes.
Barker.	Merritt.
Barrett.	Moore.
Beasley.	Patterson.
Bonham.	Perdue.
Cable.	Rowland.
Covey.	Russell
Davis.	of Callahan.
Dodd.	Sanford.
Downs.	Shires.
Dunn.	Stevens.
Ernka.	Stewart
Green.	of Edwards.
Hardin of Erath.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Henderson	Stiernberg.
of McLennan.	Sweet.
Hendricks.	Thompson.
Howeth.	Thrasher.
Hughes.	Wallace.
Loftin.	

## Absent.

Baldwin.	McBride.
Davenport.	McKean.
Dinkle.	Merriman.
Durham.	Miller.
Hardin	Morgan
of Kaufman.	of Robertson.
Henderson	Patman.
of Marion.	Price.
Houston.	Smith.
Laird.	

## Absent—Excused.

Bird.	Burmeister.
Brady.	Crawford.
Bryant.	DeBerry.

Fugler.	Rountree.
Johnson.	Storey.
Lamb.	Turner.
Lewis.	Vaughan.
McFarlane.	Westbrook.
McNatt.	Wessels.
Pool.	Williamson.
Potter.	Wilson.
Purl.	Winfree.
Rogers.	

Mr. Henderson of McLennan offered the following amendment to the bill:

Amend S. B. No. 31 by striking out the figures "1000" in line 14, page 1, and insert "80,000."

Mr. Jones moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

## Yeas—76.

Amsler.	Kemble.
Arnold.	Lackey.
Avis.	Laird.
Baker of Milam.	Lane.
Baker of Orange.	LeMaster.
Barrett.	LeSturgeon.
Bell.	Lusk.
Blount.	McBride.
Bobbitt.	Melson.
Bonham.	Merriman.
Cable.	Montgomery.
Carpenter	Morgan
of Dallas.	of Liberty.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Pate.
Carter of Coke.	Patterson.
Carter of Hays.	Perdue.
Coffee.	Pinkston.
Collins.	Pope.
Cowen.	Quaid.
Culp.	Quinn.
Dielmann.	Robinson.
Driggers.	Russell of Trinity.
Duffey.	Sackett.
Dunlap.	Satterwhite.
Dunn.	Shearer.
Edwards.	Sparkman.
Faubion.	Stell.
Fields.	Stevens.
Finlay.	Stewart
Gipson.	of Edwards.
Green.	Strickland.
Greer.	Stroder.
Henderson	Sweet.
of Marion.	Teer.
Hull.	Thompson.
Irwin.	Thrasher.
Jacks.	Wells.
Jennings.	Wilmans.
Jones.	Young.

## Nays—32.

Abney.	Loftin.
Atkinson.	Looney.
Barker.	McDaniel.
Beasley.	McDonald.
Covey.	Martin.
Davis.	Mathes.
Dodd.	Merritt.
Downs.	Moore.
Frnka.	Rowland.
Hardin of Erath.	Russell
Hardin	of Callahan.
of Kaufman.	Sanford.
Harrington.	Smith.
Harris.	Stewart of Jasper.
Henderson	Stewart of Reeves.
of McLennan.	Stiernberg.
Howeth.	Wallace.
Hughes.	

Present—Not Voting.

## Shires.

## Absent.

Baldwin.	McKean.
Chitwood.	Maxwell.
Davenport.	Miller.
Dinkle.	Patman.
Durham.	Price.
Hendricks.	Rice.
Houston.	Simpson.

## Absent—Excused.

Bird.	Potter.
Brady.	Purl.
Bryant.	Rogers.
Burmeister.	Rountree.
Crawford.	Storey.
DeBerry.	Turner.
Fugler.	Vaughan.
Johnson.	Westbrook.
Lamb.	Wessels.
Lewis.	Williamson.
McFarlane.	Wilson.
McNatt.	Winfree.
Pool.	

Senate bill No. 31 was then passed to third reading.

Mr. Pope moved to reconsider the vote by which the bill was passed to third reading, and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 117 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 117. A bill to be entitled "An Act to reorganize the courts of Jef-

person county; to abolish the Sixtieth Judicial District and to establish and create in its place and stead a criminal district court for Jefferson county; to provide for the jurisdiction of and procedure in said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, powers and compensation of a judge of said court; depriving and divesting the district courts of Jefferson county of jurisdiction of all criminal cases; providing from and after the taking effect of this act for the transfer of all criminal cases from the district courts of Jefferson county to the criminal district court of Jefferson county created by this act; providing for the transfer of all civil cases from the Sixtieth Judicial District to the district court of the Fifty-eighth Judicial District; providing that the Fifty-eighth District Court may empanel grand juries; and fixing the time for holding said court; providing that the county attorney, the sheriff and the clerk of the district court of Jefferson county shall be the county attorney, sheriff and clerk of the district court, respectfully, and of the court created by this act, under the same rules and regulations as are now or may hereafter be prescribed by law for the government of such officials; providing for the fees to be received by such officers for such services, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The bill was read the third time and was passed.

#### HOUSE JOINT RESOLUTION NO. 3 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 3, Proposing an amendment to Section 2 of Article 6 of the Constitution of the State of Texas abolishing the poll tax qualification of electors.

The resolution was read second time.

On motion of Mr. Bonham, further consideration of the resolution was postponed until 11 o'clock a. m. tomorrow.

#### HOUSE BILL NO. 168 ON SECOND READING.

On motion of Mr. Pope, by unanimous consent, the regular order of business was suspended to take and have placed

on its second reading and passage to engrossment,

H. B. No. 168, A bill to be entitled "An Act amending Section 23 of an act passed at the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a permanent textbook commission for the State of Texas, to be styled 'The Texas State Textbook Commission'; defining its membership and appointment,' etc.; being Senate bill No. 16, Chapter 44, of said Acts of the First Called Session of the Thirty-fifth Legislature, and to repeal all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Blount moved to postpone further consideration of the bill until 11 o'clock a. m. next Friday.

Mr. Jacks moved to postpone further consideration of the bill until 10 o'clock a. m. tomorrow.

Mr. Dielmann moved to table the motion of Mr. Jacks.

The motion to table prevailed.

Mr. Jacks moved to table the motion of Mr. Blount.

The motion to table prevailed.

Mr. Greer offered the following amendment to the bill:

Amend H. B. No. 168, line 39, by adding after "December 1, 1922," "provided that such texts continued in use shall be provided at a price not to exceed contract prices prevailing December 1, 1922."

The amendment was adopted.

Mr. Bell moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion was lost.

Mr. Harris offered the following amendment to the bill:

Amend H. B. No. 168, line 35, by striking out remainder of Section 1, beginning at word "provided."

On motion of Mr. Stewart of Edwards the amendment was tabled.

Mr. Shires offered the following amendment to the bill:

Amend H. B. No. 168 by striking out all of Section 23 after the word "author" in line 35, and insert the following in lieu thereof, "Provided that all books in use on December 1, 1922, under contracts in existence on said date or under any extension of such contracts shall be continued in use as textbooks to the exclusion of all others in public free schools of this State for a period of three years from and after December 1,



1922. Provided, however, that all textbooks adopted by the Textbook Commission since December 1, 1922, by legal contracts shall be used in such public schools for the period so contracted."

Signed—Shires, Price.

Mr. Bonham moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—29.

Bell.	Maxwell.
Blount.	Miller.
Carpenter	Moore.
of Matagorda.	Pate.
Chitwood.	Patman.
Covey.	Patterson.
Dunn.	Price.
Edwards.	Robinson.
Harris.	Sanford.
Henderson	Satterwhite.
of Marion.	Shires.
LeMaster.	Smith.
Loftin.	Stewart of Reeves.
Lusk.	Sweet.
McBride.	Wallace.
Martin.	

Nays—80.

Abney.	Greer.
Amsler.	Hardin of Erath.
Arnold.	Hardin
Atkinson.	of Kaufman.
Avis.	Henderson
Baker of Milam.	of McLennan.
Baker of Orange.	Hendricks.
Barker.	Hughes.
Barrett.	Hull.
Beasley.	Irwin.
Bobbitt.	Jacks.
Bonham.	Jones.
Bryant.	Kemble.
Cable.	Lackey.
Carpenter	Laird.
of Dallas.	LeSturgeon.
Carson.	Looney.
Carter of Coke.	McDaniel.
Carter of Hays.	McDonald.
Collins.	Mathes.
Cowen.	Melson.
Culp.	Merriman.
Davis.	Merritt.
Dielmann.	Montgomery.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Fields.	Perdue.
Frnka.	Pinkston.
Fugler.	Pope.
Green.	Quaid.

Quinn.	Stewart
Rice.	of Edwards.
Rowland.	Stewart of Jasper.
Russell	Stiernberg.
of Callahan.	Strickland.
Russell of Trinity.	Stroder.
Sackett.	Thompson.
Shearer.	Thrasher.
Simpson.	Wells.
Sparkman.	Wilmans.
Stell.	Young.
Stevens.	

Absent.

Baldwin.	Harrington.
Coffee.	Houston.
Davenport.	Howeth.
Dinkle.	Jennings.
Dunlap.	Lane.
Durham.	McKean.
Faubion.	Teer.
Gipson.	

Absent—Excused.

Bird.	Potter.
Brady.	Purl.
Burmeister.	Rogers.
Crawford.	Rountree.
DeBerry.	Storey.
Finlay.	Turner.
Johnson.	Vaughan.
Lamb.	Westbrook.
Lewis.	Wessels.
McFarlane.	Williamson.
McNatt.	Wilson.
Pool.	Winfree.

House bill No. 168 was then passed to engrossment.

Mr. Pope moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO TAKE UP HOUSE BILL NO. 168.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 168 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths vote:

Yeas—82.

Abney.	Baker of Orange.
Amsler.	Baldwin.
Arnold.	Barker.
Atkinson.	Barrett.
Avis.	Beasley.
Baker of Milam.	Bobbitt.

Bonham.	Lusk.
Bryant.	McBride.
Cable.	McDaniel.
Carpenter	McDonald.
of Dallas.	McKean.
Carson.	Melson.
Carter of Coke.	Merriman.
Carter of Hays.	Merritt.
Collins.	Montgomery.
Cowen.	Morgan
Dielmann.	of Liberty.
Dodd.	Morgan
Driggers.	of Robertson.
Duffey.	Pate.
Fields.	Perdue.
Finlay.	Pinkston.
Frnka.	Pope.
Fugler.	Quinn.
Green.	Robinson.
Greer.	Rogers.
Hardin of Erath.	Rowland.
Henderson	Russell
of Marion.	of Callahan.
Henderson	Russell of Trinity.
of McLennan.	Sackett.
Hendricks.	Sanford.
Houston.	Shearer.
Howeth.	Sparkman.
Hughes.	Stell.
Hull.	Stewart
Irwin.	of Edwards.
Jacks.	Strickland.
Jones.	Stroder.
Lackey.	Turner.
Laird.	Wells.
Lane.	Wessels.
LeSturgeon.	Winfree.
Loftin.	Young.
Looney.	

Nays—35.

Bell.	Moore.
Blount.	Patman.
Carpenter	Patterson.
of Matagorda.	Price.
Chitwood.	Quaid.
Coffee.	Rice.
Covey.	Satterwhite.
Davis.	Shires.
Dunn.	Simpson.
Edwards.	Smith.
Gipson.	Stevens.
Hardin	Stewart of Reeves.
of Kaufman.	Stiernberg.
Harris.	Sweet.
Kemble.	Thompson.
Martin.	Thrasher.
Mathes.	Wallace.
Maxwell.	Wilmans.
Miller.	

Absent.

Culp.	Faubion.
Davenport.	Harrington.
Dinkle.	Jennings.
Downs.	LeMaster.
Dunlap.	Stewart of Jasper.
Durham.	Teer.

Absent—Excused.

Bird.	Pool.
Brady.	Potter.
Burmeister.	Purl.
Crawford.	Rountree.
DeBerry.	Storey.
Johnson.	Vaughan.
Lamb.	Westbrook.
Lewis.	Williamson.
McFarlane.	Wilson.
McNatt.	

## SENATE BILLS ON FIRST READING.

The following Senate bills received from the Senate today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 92, to the Committee on Judicial Districts.

S. B. No. 93, to the Committee on Judicial Districts.

S. B. No. 157, to the Committee on School Districts.

S. B. No. 120, to the Committee on Municipal and Private Corporations.

Mr. Quaid moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion was lost.

## MOTION TO TAKE UP HOUSE BILL NO. 168.

Mr. Hardin of Kaufman moved to reconsider the vote by which the House refused to suspend the constitutional rule for the purpose of placing House bill No. 168 before the House on its third reading and final passage.

The motion prevailed.

Mr. Pope moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 168, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The question was then put on the motion of Mr. Pope to suspend the constitutional rule requiring bills to be read on three several days, for the purpose of placing House bill No. 168 before the House on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths votes:

## Yeas—89.

Abney.	Laird.
Amsler.	Lane.
Arnold.	LeMaster.
Atkinson.	LeSturgeon.
Avis.	Loftin.
Baker of Milam.	Looney.
Baker of Orange.	Lusk.
Baldwin.	McBride.
Barker.	McDaniel.
Beasley.	McDonald.
Bobbitt.	McKean.
Bryant.	Martin.
Carpenter	Melson.
of Dallas.	Merriman.
Carson.	Merritt.
Carter of Coke.	Montgomery.
Collins.	Morgan
Cowen.	of Liberty.
Crawford.	Morgan
Davis.	of Robertson.
Dielmann.	Pate.
Dodd.	Perdue.
Driggers.	Pope.
Duffey.	Potter.
Dunlap.	Quinn.
Faubion.	Robinson.
Fields.	Rowland.
Finlay.	Russell
Frnka.	of Callahan.
Fugler.	Russell of Trinity.
Green.	Sackett.
Greer.	Shearer.
Hardin of Erath.	Sparkman.
Hardin	Stell.
of Kaufman.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Jasper.
Henderson	Storey.
of McLennan.	Strickland.
Hendricks.	Stroder.
Houston.	Teer.
Howeth.	Thompson.
Hughes.	Wells.
Hull.	Westbrook.
Irwin.	Williamson.
Jacks.	Wilmans.
Jennings.	Winfree.
Jones.	Young.
Lackey.	

## Nays—30.

Bell.	Miller.
Blount.	Moore.
Carpenter	Patman.
of Matagorda.	Patterson.
Coffee.	Price.
Culp.	Purl.
Dunn.	Quaid.
Edwards.	Rice.
Gipson.	Sanford.
Harris.	Shires.
Lewis.	Simpson.
Mathes.	Smith.
Maxwell.	Stevens.

Stewart of Reeves. Thrasher.  
Stiernberg. Wallace.  
Sweet.

Present—Not Voting.

Bird.

Absent.

Barrett.	Dinkle.
Bonham.	Durham.
Cable.	Downs.
Carter of Hays.	Harrington.
Chitwood.	Kemble.
Covey.	Pinkston.
Davenport.	Satterwhite.
DeBerry.	Turner.

Absent—Excused.

Brady.	Pool.
Burmeister.	Rogers.
Johnson.	Rountree.
Lamb.	Vaughan.
McFarlane.	Wessels.
McNatt.	Wilson.

## ADJOURNMENT.

On motion of Mr. Fugler, the House  
at 6 o'clock p. m. adjourned until 10:30  
o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have filed  
favorable reports on the following bills:

Labor—House bills Nos. 95, 177.

Judiciary—House bills Nos. 289, 81,  
283, 250, 249; Senate bills Nos. 65,  
64, 74.

Conservation and Reclamation—House  
bills Nos. 295, 287, 292, 229, 54.

Municipal and Private Corporations—  
House bill No. 183, Senate bill No. 31.

Education—House bills Nos. 288, 239,  
121, 168, 169.

Public Health—House bill No. 85.

Insurance—House bill No. 91.

School Districts—House bills Nos. 251,  
240, 198, 255.

State Affairs—House bills Nos. 48,  
238.

Public Lands and Buildings—House  
bills Nos. 130, 71.

Agriculture—House bill No. 4.

Counties—House bills Nos. 22, 86.

The following committees have filed  
adverse reports on bills as follows:

Education—House bills Nos. 245, 220,  
39.

School Districts—House bills Nos. 75, 227, 228.

Public Health—House bills Nos. 24, 88.

Appropriations—House bill No. 23.

Judiciary—House bills Nos. 252, 271, 290, 291; Senate bill No. 85.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 64, A bill to be entitled "An Act to regulate the organization of the County Courts of Dallas County at Law, and judges thereof, and to secure uniformity therein, by prescribing that the County Court of Dallas County at Law shall be called the County Court of Dallas County at Law No. 1; by fixing an equal number of terms of said courts, and prescribing that they commence on alternate months to authorize the judges thereof to hold court for or with another; to prescribe a uniform qualification for the judges; prescribe what fees they shall collect and how they shall be paid into the county treasury; to require the oath of office, and remove the requirement of official bonds for judges; to continue the term of the County Court of Dallas County No. 2; to conform to this act; to validate process thereof and of the County Court of Dallas County at Law, in conformity with this act; to repeal laws in conflict therewith, and to declare an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 33, A bill to be entitled "An Act requiring the labeling of all cloth, fabric, garments or articles of apparel sold or offered for sale in this State which contain wool or purport to contain wool, and samples containing or purporting to contain wool displayed in this State in soliciting orders, and

providing for punishment for violation of this act,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 29, A bill to be entitled "An Act to amend Article 2, Title 1, of the Revised Civil Statutes of the State of Texas, 1911, relating to the adoption of heirs, so as to permit the adoption of minors only as legal heirs, and defining and designating the rights, privileges, and inheritances of heirs by adoption, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 131, A bill to be entitled "An Act to amend Article 2643, of Chapter 2, Title 48, Revised Civil Statutes of Texas, 1911, providing that the Board of Regents of the University of Texas, when authorized by specific legislation, may expend the interest of the permanent University fund for permanent improvements; providing that any contract made in any manner or for any purpose as in said Article 2643 specified shall be null and void, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

Committee Room,

Austin, Texas, January 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 173, A bill to be entitled "An Act amending Section 1, Chapter 27, page 38, Acts of the Regular Session, Thirty-second Legislature of the State of Texas of 1911, and being Article 7059a of Title 120 of the Revised

Statute of Texas, relating to traveling and other expenses of judges of the district courts and district attorneys when in the actual discharge of their official duties in any county other than the county of their residence; providing for the payment of such expenses by the State upon sworn itemized accounts of such officers; providing for recording such accounts in the minutes of the district court of the county in which such officer resides, and declaring an emergency."

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, January 23, 1923.  
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 102, A bill to be entitled "An Act to provide for revising, digesting, annotating and publishing the civil and criminal laws of the State of Texas, and to require the commissioners appointed to revise the Statutes; to prepare two bills, one providing a civil and one a criminal code of practice in the courts of this State, and report the same to the Governor, who shall submit the same to the Legislature,"

And find the same correctly engrossed.  
PRICE, Vice-Chairman.

#### FIFTEENTH DAY.

(Thursday, January 25, 1923.)

The House met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Satterwhite.

The roll was called and the following members were present:

Abney.	Brady.
Amsler.	Bryant.
Arnold.	Cable.
Atkinson.	Carpenter
Avis.	of Dallas.
Baker of Milam.	Carpenter
Baker of Orange.	of Matagorda.
Baldwin.	Carson.
Barker.	Carter of Coke.
Barrett.	Carter of Hays.
Beasley.	Coffee.
Bell.	Collins.
Bird.	Covey.
Blount.	Cowen.
Bobbitt.	Crawford.
Bonham.	Culp.

Davis.	Merritt.
DeBerry.	Miller.
Dielmann.	Montgomery.
Dinkle.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Pate.
Dunn.	Patman.
Edwards.	Patterson.
Faubion.	Perdue.
Fields.	Pinkston.
Finlay.	Pool.
Frnka.	Pope.
Gipson.	Potter.
Green.	Price.
Greer.	Purl.
Hardin of Erath.	Quaid.
Hardin	Quinn.
of Kaufman.	Rice.
Harrington.	Robinson.
Harris.	Rogers.
Henderson	Rountree.
of Marion.	Rowland.
Henderson	Russell
of McLennan.	of Callahan.
Hendricks.	Russell of Trinity.
Houston.	Satterwhite.
Howeth.	Shearer.
Hughes.	Shires.
Hull.	Simpson.
Irwin.	Smith.
Jacks.	Sparkman.
Jennings.	Stell.
Jones.	Stevens.
Kemble.	Stewart
Lackey.	of Edwards.
Laird.	Stewart of Jasper.
Lane.	Stiernberg.
LeMaster.	Storey.
LeStourgeon.	Strickland.
Lewis.	Stroder.
Loftin.	Sweet.
Looney.	Teer.
McBride.	Thompson.
McDaniel.	Thrasher.
McDonald.	Turner.
McKean.	Wallace.
McNatt.	Wells.
Martin.	Westbrook.
Mathes.	Wessels.
Maxwell.	Wilmans.
Melson.	Winfree.
Merriman.	Young.
	Absent.
Fugler.	Sanford.
Lusk.	Stewart of Reeves.
McFarlane.	Williamson.
Sackett.	
	Absent—Excused.
Burmeister.	Johnson.
Chitwood.	Lamb.
Davenport.	Vaughan.
Durham.	Wilson.